

MM 96-172

COPY

Approved by OMB
3060-0027
Expires 6/30/95

FCC 301

FEDERAL COMMUNICATIONS COMMISSION
WASHINGTON, D.C. 20544

FOR
FCC
USE
ONLY

FCC/MELLON MAY 17 1996

APPLICATION FOR CONSTRUCTION PERMIT
FOR COMMERCIAL BROADCAST STATION

DUPLICATE

FOR COMMISSION USE ONLY

FILE NO. 950517IC

Section 1 - GENERAL INFORMATION

1. APPLICANT NAME

MARIO LOREDO

MAILING ADDRESS (Line 1) (Maximum 85 characters)

106 West SPRUCE / BOX 1893 LIBERAL, KS. 67901

MAILING ADDRESS (Line 2) (If required) (Maximum 85 characters)

CITY LIBERAL	STATE OR COUNTRY (If foreign address) KANSAS	ZIP CODE 67901
TELEPHONE NUMBER (include area code) (316) 624-6229	CALL LETTERS KZQD	OTHER FCC IDENTIFIER (IF APPLICABLE) BAPH-930824GE

FOR MAILING THIS APPLICATION, SEE INSTRUCTIONS FOR SECTION 1 - GENERAL INFORMATION B.

2. A. Is a fee submitted with this application? ☒ Yes ☐ No

B. If No, indicate reason for fee exemption (see 47 C.F.R. Section 1.1112) and go to Question 3.

☐ Governmental Entity

☐ Noncommercial educational licensee

C. If Yes, provide the following information:

Enter in Column (A) the correct Fee Type Code for the service you are applying for. Fee Type Codes may be found in the "Mass Media Services Fee Filing Guide." Column (B) lists the Fee Multiple applicable for this application. Enter in Column (C) result obtained from multiplying the value of the Fee Type Code in Column (A) by the number listed in Column (B).

(A) FEE TYPE CODE	(B) FEE MULTIPLE (If required)	(C) FEE DUE FOR FEE TYPE CODE IN COLUMN (A)	FOR FCC USE ONLY
(1) M P R	0 0 0 1	\$ 650.00	

To be used only when you are requesting concurrent actions which result in a requirement to list more than one Fee Type Code.

(A)	(B)	(C)	FOR FCC USE ONLY
(2)	0 0 0 1	\$	

ADD ALL AMOUNTS SHOWN IN COLUMN C, LINES (1) THROUGH (2), AND ENTER THE TOTAL HERE. THIS AMOUNT SHOULD EQUAL YOUR ENCLOSED REMITTANCE.

TOTAL AMOUNT REMITTED WITH THIS APPLICATION
\$ 650.00

FOR FCC USE ONLY

3. This application is for: (check one box)

☐ AM

☒ FM

☐ TV

(b) Channel No. or Frequency
286 / 105.1 MHz

(b) Principal
Community

City
LIBERAL

State
KS

Section I - GENERAL INFORMATION (Page 2)

(c) Check one of the following boxes:

- ☐ Application for NEW station
- ☐ MAJOR change in licensed facilities; call sign: _____
- ☐ MINOR change in licensed facilities; call sign: _____
- ☐ MAJOR modification of construction permit; call sign: _____

File No. of construction permit: _____

- ☒ MINOR modification of construction permit; call sign: _____ KZQD

File No. of construction permit: _____ BAPH-930824GE

- ☐ AMENDMENT to pending application; Application file number: _____

NOTE: It is not necessary to use this form to amend a previously filed application. Should you do so, however, please submit only Section I and those other portions of the form that contain the amended information.

4. Is this application mutually exclusive with a renewal application? ☐ Yes ☒ No

If Yes, state:

Call letters	Community of License	
	City	State

Section V-B - FM BROADCAST ENGINEERING DATA

FOR COMMISSION USE ONLY

File No. _____
 ASB Referral Date _____
 Referred by _____

Name of Applicant

MARIO LOREDO

Call letters (if issued)

KZQD

Is this application being filed in response to a window? ☐ Yes ☒ No

If Yes, specify closing date: _____

Purpose of Application: (check appropriate boxes)

☐ Construct a new (main) facility

☐ Construct a new auxiliary facility

☒ Modify existing construction permit for main facility

☐ Modify existing construction permit for auxiliary facility

☐ Modify licensed main facility

☐ Modify licensed auxiliary facility

Purpose is to modify, indicate below the nature of change(s) and specify the file number(s) of the authorizations affected.

☒ Antenna supporting-structure height

☐ Effective radiated power

☒ Antenna height above average terrain

☐ Frequency

☒ Antenna location

☐ Class

☐ Main Studio location

☐ Other (Summarize briefly)

File Number(s) BAPH-930824GE

1. Allocation:

Channel No.	Principal community to be served:		
286	City LIBERAL	County SEWARD	State KS

Class (check only one box below)

☐ A ☐ B1 ☐ B ☐ C3
☒ C2 ☐ C1 ☐ C

2. Exact location of antenna.

(a) Specify address, city, county and state. If no address, specify distance and bearing relative to the nearest town or landmark.

800 feet East of 9 th. & Calvert St. Liberal, Seward Co., State of Kansas

(b) Geographical coordinates (to nearest second). If mounted on element of an AM array, specify coordinates of center of array. Otherwise, specify tower location. Specify South Latitude or East Longitude where applicable; otherwise, North Latitude or West Longitude will be presumed.

Latitude	37	°	02	'	53	"	Longitude	100	°	54	'	34	"
----------	----	---	----	---	----	---	-----------	-----	---	----	---	----	---

3. Is the supporting structure the same as that of another station(s) or proposed in another pending application(s)? ☐ Yes ☒ No

If Yes, give call letter(s) or file number(s) or both. _____

If proposal involves a change in height of an existing structure, specify existing height above ground level including antenna, all other appurtenances, and lighting, if any. Not Applicable

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 2)

4. Does the application propose to correct previous site coordinates?

☐ Yes ☒ No

If Yes, list old coordinates.

Latitude	°	'	"	Longitude	°	'	"
----------	---	---	---	-----------	---	---	---

5. Has the FAA been notified of the proposed construction?

☒ Yes ☐ No

If Yes, give date and office where notice was filed and attach as an Exhibit a copy of FAA determination, if available.

Exhibit No.
FAADate Date unknown Office where filed K.C. MO. #85-ACE-090-OE

6. List all landing areas within 8 km of antenna site. Specify distance and bearing from structure to nearest point of the nearest runway.

	Landing Area	Distance (km)	Bearing (degrees True)
(a)	<u>LIBERAL</u>	<u>4.0</u>	<u>270</u>
	<u></u>	<u></u>	<u></u>

7. (a) Elevation: (to the nearest meter)

(1) of site above mean sea level; 863 meters(2) of the top of supporting structure above ground (including antenna, all other appurtenances, and lighting, if any); and 137 meters(3) of the top of supporting structure above mean sea level [(a)(1) + (a)(2)] 1000 meters

(b) Height of radiation center: (to the nearest meter) H = Horizontal; V = Vertical

(1) above ground 116 meters (H)116 meters (V)(2) above mean sea level [(a)(1) + (b)(1)] 979 meters (H)979 meters (V)(3) above average terrain 118 meters (H)118 meters (V)

8. Attach as an Exhibit sketch(es) of the supporting structure, labelling all elevations required in Question 7 above, except item 7(b)(3). If mounted on an AM directional-array element, specify heights and orientations of all array towers, as well as location of FM radiator.

Exhibit No.
E 1

9. Effective Radiated Power:

(a) ERP in the horizontal plane 50 kw (H*) 50 kw (V*)

(b) Is beam tilt proposed?

☐ Yes ☒ No

If Yes, specify maximum ERP in the plane of the tilted beam, and attach as an Exhibit a vertical elevational plot of radiated field.

Exhibit No.

NOT APPLICABLE

 kw (H*) kw (V*)

*Polarization

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 3)

10. Is a directional antenna proposed?

☐ Yes ☒ No

If Yes, attach as an Exhibit a statement with all data specified in 47 C.F.R. Section 73.316, including plot(s) and tabulations of the relative field.

Exhibit No.
NOT APPLICABLE

11. Will the proposed facility satisfy the requirements of 47 C.F.R. Sections 73.315(a) and (b)?

☒ Yes ☐ No

If No, attach as an Exhibit a request for waiver and justification therefor, including amounts and percentages of population and area that will not receive 3.16 mV/m service.

Exhibit No.
NOT APPLICABLE

12. Will the main studio be within the protected 3.16 mV/m field strength contour of this proposal?

☒ Yes ☐ No

If No, attach as an Exhibit justification pursuant to 47 C.F.R. Section 73.1125.

Exhibit No.
NOT APPLICABLE

13. (a) Does the proposed facility satisfy the requirements of 47 C.F.R. Section 73.207?

☒ Yes ☐ No

(b) If the answer to (a) is No, does 47 C.F.R. Section 73.213 apply?

☐ Yes ☐ No

(c) If the answer to (b) is Yes, attach as an Exhibit a justification, including a summary of previous waivers.

Exhibit No.

(d) If the answer to (a) is No and the answer to (b) is No, attach as an Exhibit a statement describing the short spacing(s) and how it or they arose.

Exhibit No.

(e) If authorization pursuant to 47 C.F.R. Section 73.215 is requested, attach as an Exhibit a complete engineering study to establish the lack of prohibited overlap of contours involving affected stations. The engineering study must include the following:

Exhibit No.

- (1) Protected and interfering contours, in all directions (360), for the proposed operation.
- (2) Protected and interfering contours, over pertinent arcs, of all short-spaced assignments, applications and allotments, including a plot showing each transmitter location, with identifying call letters or file numbers, and indication of whether facility is operating or proposed. For vacant allotments, use the reference coordinates as the transmitter location.
- (3) When necessary to show more detail, an additional allocation study utilizing a map with a larger scale to clearly show prohibited overlap will not occur.
- (4) A scale of kilometers and properly labeled longitude and latitude lines, shown across the entire exhibit(s). Sufficient lines should be shown so that the location of the sites may be verified.
- (5) The official title(s) of the map(s) used in the exhibit(s).

14. Are there: (a) within 60 meters of the proposed antenna, any proposed or authorized FM or TV transmitters, or any nonbroadcast (except citizens band or amateur) radio stations; or (b) within the blanketing contour, any established commercial or government receiving stations, cable head-end facilities, or populated areas; or (c) within ten (10) kilometers of the proposed antenna, any proposed or authorized FM or TV transmitters which may produce receiver-induced intermodulation interference?

☒ Yes ☐ No

If Yes, attach as an Exhibit a description of any expected, undesired effects of operations and remedial steps to be pursued if necessary, and a statement accepting full responsibility for the elimination of any objectionable interference (including that caused by receiver-induced or other types of modulation) to facilities in existence or authorized or to radio receivers in use prior to grant of this application. (See 47 C.F.R. Sections 73.315(b), 73.316(e) and 73.318.)

Exhibit No.
E 2

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 4)

15. Attach as an Exhibit a 7.5 minute series U.S. Geological Survey topographic quadrangle map that shows clearly, legibly, and accurately, the location of the proposed transmitting antenna. This map must comply with the requirements set forth in Instruction V (D). The map must further clearly and legibly display the original printed contour lines and data as well as latitude and longitude markings, and must bear a scale of distance in kilometers.

Exhibit No.
E 3

16. Attach as an Exhibit *(name the source)* a map which shows clearly, legibly, and accurately, and with the original printed latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.
E 4

(a) the proposed transmitter location, and the radials along which profile graphs have been prepared;

(b) the 0.16 mV/m and 1 mV/m predicted contours; and

the legal boundaries of the principal community to be served.

17. Specify area in square kilometers (1 sq. mi. = 259 sq. km.) and population (latest census) within the predicted 1 mV/m contour.

Area 7,077 sq. km.

Population 33,967 1990 CENSUS

18. For an application involving an auxiliary facility only, attach as an Exhibit a map *(Sectional Aeronautical Chart or equivalent)* that shows clearly, legibly, and accurately, and with latitude and longitude markings and a scale of distance in kilometers:

Exhibit No.
NOT APPLICABLE

(a) the proposed auxiliary 1 mV/m contour; and

(b) the 1 mV/m contour of the licensed main facility for which the applied-for facility will be auxiliary. Also specify the file number of the license.

19. Terrain and coverage data *(to be calculated in accordance with 47 C.F.R., Section 73.313)*

Source of terrain data: *(check only one box below)*

☒ Linearly Interpolated 30-second database

☐ 7.5 minute topographic map

(Source: NGDC COMPUTER GENERATED)

☐ Other *(briefly summarize)*

SECTION V-B - FM BROADCAST ENGINEERING DATA (Page 5)

Radial bearing (degrees True)	Height of radiation center above average elevation of radial from 8 to 16 km (meters)	Predicted Distances	
		To the 316 mV/m contour (kilometers)	To the 1 mV/m contour (kilometers)
* 235°	96	26.6	43.9
0	114	28.8	47.0
45	137	31.2	50.3
90	141	31.6	50.9
135	137	31.2	50.3
180	126	30.1	48.8
225	102	27.4	45.0
270	91	25.9	43.0
315	95	26.5	43.8

*Radial through principal community, if not one of the major radials. This radial should NOT be included in the calculation of HAAT.

20. Environmental Statement (See 47 C.F.R. Section 1.1301 et seq.)

Would a Commission grant of this application come within Section 1.1307 of the FCC Rules, such that it may have a significant environmental impact? ☐ Yes ☒ No

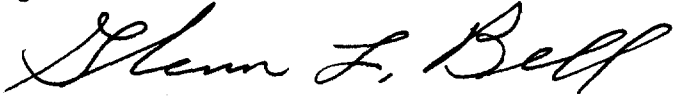
If you answer Yes, submit as an Exhibit an Environmental Assessment required by Section 1.1311.

Exhibit No.
E 5

If No, explain briefly why not.

CERTIFICATION

I certify that I have prepared this Section of this application on behalf of the applicant, and that after such preparation, I have examined the foregoing and found it to be accurate and true to the best of my knowledge and belief.

Name (Typed or Printed) GLENN L. BELL	Relationship to Applicant (e.g., Consulting Engineer) TECHNICAL CONSULTANT
Signature 	Address (Include ZIP Code) 2750 S. 167 th. West GODDARD, KANSAS 67052
Date MAY 2, 1995	Telephone No. (Include Area Code) (316) 794-2334 (316) 942-2424

SECTION VI - EQUAL EMPLOYMENT OPPORTUNITY PROGRAM

1. Does the applicant propose to employ five or more full-time employees? **Not Applicable** ☐ Yes ☐ No

If Yes, the applicant must include an EEO program called for in the separate Broadcast Equal Employment Opportunity Program Report (FCC 896-A).

SECTION VII - CERTIFICATIONS

1. Has or will the applicant comply with the public notice requirement of 47 C.F.R. Section 73.3580? ☐ Yes ☐ No
Not Applicable
2. Has the applicant reasonable assurance, in good faith, that the site or structure proposed in Section V of this form, as the location of its transmitting antenna, will be available to the applicant for the applicant's intended purpose? ☐ Yes ☐ No
Not Applicable

Exhibit No.

If No, attach as an Exhibit, a full explanation.

3. If reasonable assurance is not based on applicant's ownership of the proposed site or structure, applicant certifies that it has obtained such reasonable assurance by contacting the owner or person possessing control of the site or structure. **Not Applicable**

Name of Person Contacted _____

Telephone No. (include area code) _____

Person contacted: (check one box below)

☐ Owner ☐ Owner's Agent ☐ Other (specify) _____

4. By checking Yes, the applicant certifies that, in the case of an individual applicant, he or she is not subject to a denial of federal benefits that includes FCC benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1988, 21 U.S.C. Section 862, or, in the case of a non-individual applicant (e.g., corporation, partnership or other unincorporated association), no party to the application is subject to a denial of federal benefits that includes FCC benefits pursuant to that section. For the definition of a "party" for these purposes, see 47 C.F.R. Section 1.2002(b). ☒ Yes ☐ No

The APPLICANT hereby waives any claim to the use of any particular frequency as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application. (See Section 304 of the Communications Act of 1934, as amended.)

The APPLICANT acknowledges that all the statements made in this application and attached exhibits are considered material representations, and that all exhibits are a material part hereof and incorporated herein.

The APPLICANT represents that this application is not filed for the purpose of impeding, obstructing, or delaying determination on any other application with which it may be in conflict.

In accordance with 47 C.F.R. Section 1.85, the APPLICANT has a continuing obligation to advise the Commission, through amendments, of any substantial and significant changes in information furnished.

SECTION VII - CERTIFICATION (Page 2)

WILLFUL FALSE STATEMENTS MADE ON THIS FORM ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT
(U.S. CODE, TITLE 18, SECTION 1001), AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT
(U.S. CODE, TITLE 47, SECTION 312(a)(1)), AND/OR FORFEITURE (U.S. CODE, TITLE 47, SECTION 503).

I certify that the statements in this application are true and correct to the best of my knowledge and belief, and are made in good faith.

Name of Applicant <i>Mario Loreda</i>	Signature <i>Mario Loreda</i>
Date <i>5-9-95</i>	Title <i>OWNER</i>

FCC NOTICE TO INDIVIDUALS REQUIRED BY THE PRIVACY ACT
AND THE PAPERWORK REDUCTION ACT

The solicitation of personal information requested in this application is authorized by the Communications Act of 1934, as amended. The Commission will use the information provided in this form to determine whether grant of the application is in the public interest. In reaching that determination, or for law enforcement purposes, it may become necessary to refer personal information contained in this form to another government agency. In addition, all information provided in this form will be available for public inspection. If information requested on the form is not provided, processing of the application may be delayed or the application may be returned without action pursuant to the Commission's rules. Your response is required to obtain the requested authority.

Public reporting burden for this collection of information is estimated to vary from 72 hours 40 minutes to 847 hours 25 minutes with an average of 218 hours 32 minutes per response, including the time for reviewing instructions, searching existing data sources, gathering and maintaining the data needed, and completing and reviewing the collection of information. Comments regarding this burden estimate or any other aspect of this collection of information, including suggestions for reducing the burden, can be sent to the Federal Communications Commission, Information Resources Branch, Room 418, Paperwork Reduction Project, Washington, D.C. 20554, and to the Office of Management and Budget, Paperwork Reduction Project (3060-0027), Washington, D.C. 20503.

THE FOREGOING NOTICE IS REQUIRED BY THE PRIVACY ACT OF 1974, P.L. 93-579, DECEMBER 31, 1974, 5 U.S.C. 552a(e)(3), AND THE PAPERWORK REDUCTION ACT OF 1980, P.L. 96-511, DECEMBER 11, 1980, 44 U.S.C. 3507.

MARIO LOREDO

Channel 286 C2

50 KW ERP 118 Meters HAAT

LIBERAL, KANSAS

ENGINEERING EXHIBIT

Table Of Contents

FM Form 301

Exhibit A	Engineering Statement
Exhibit E1	Vertical Sketch
Exhibit E2	Interference
Exhibit E3	Proposed site
Exhibit E4	Proposed Coverage
Exhibit E5	Enviromental Statement

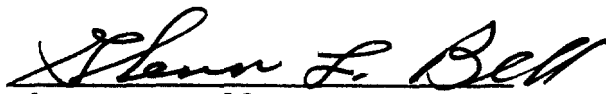
ENGINEERING STATEMENT


MARIO LOREDO

I, Glenn L. Bell have been retained by Mario Lored, to prepare FCC Form 301 for a change of Location, Antenna Height, AGL and HAAT for a Commercial FM Construction Permit for Liberal, Kansas, KZQD File No. BAPH-930824GE.

The Application meets the FM Spacing requirements, Tower Height and Power for a Class "C 2" FM station. The station will construct on a existing tower and the height will not be altered and the site will remain the same.

All Data presented in this Modification for a existing Construction Permit, is true and accurate, to the best of my knowledge and ability.


Glenn L. Bell
Technical Consultant


Date

BELL CONSULTING INC.
2750 S. 167th. West
Goddard, Kansas 67052
(316) 794-2334
(316) 942-2424

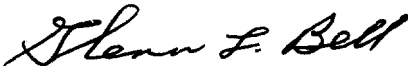
May 2, 1995

Federal Aviation Administration
Central Regional Office
Air Traffic Division
601 East 12 th. St.
Kansas City, Mo. 64106

Dear Sirs or Madam:

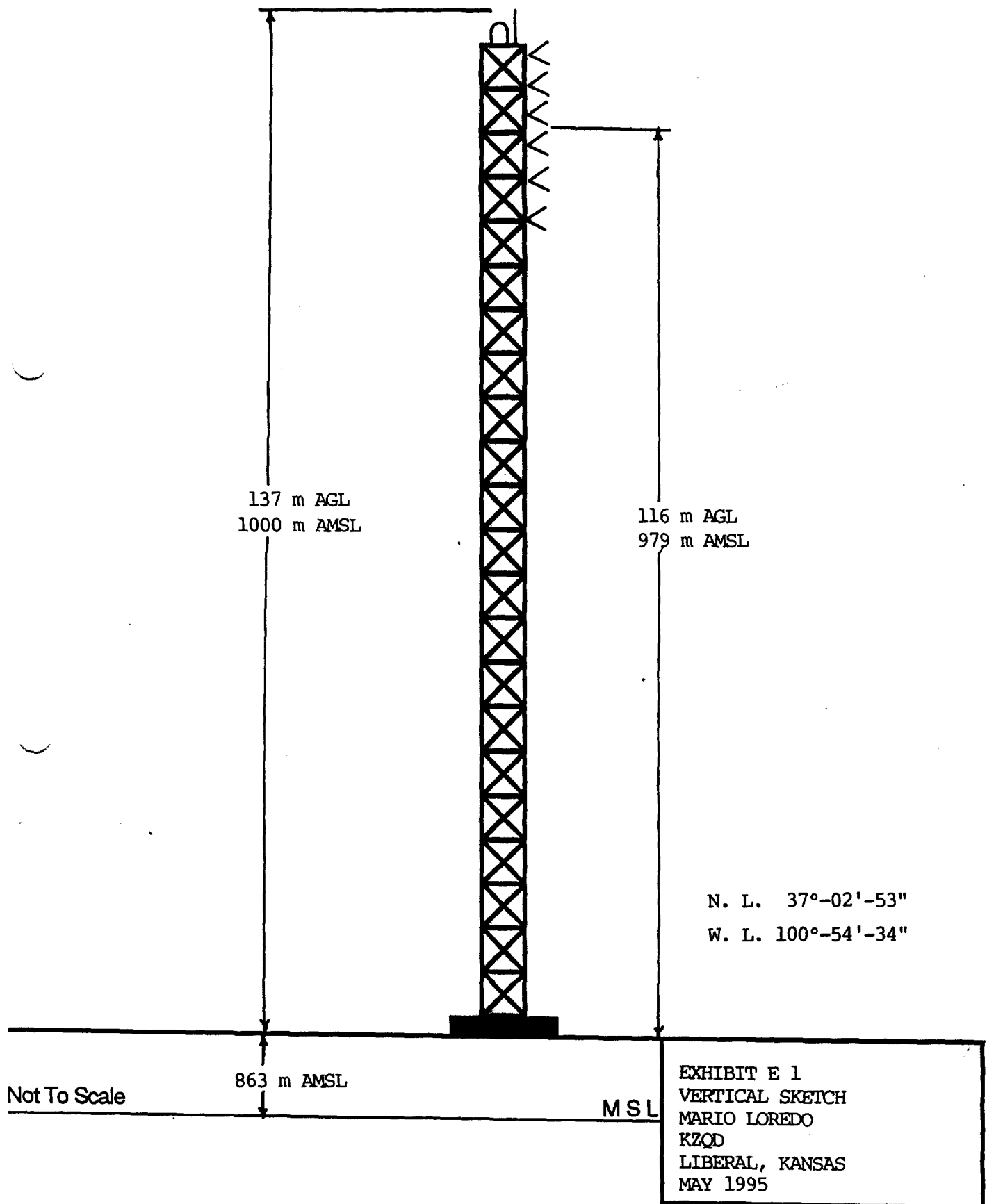
This is to inform you of proposed construction of a FM station on a existing tower at Liberal Kansas. The Frequency will be 105.1 MHz, power of 50.0 Kw vertical and horizontal, at 116 meters AGL, coordiantes N.L. 37-02-53 / 100-54-34. FAA No Hazard #85-ACE-090-OE. This is a allocated frequency to Liberal, Kansas

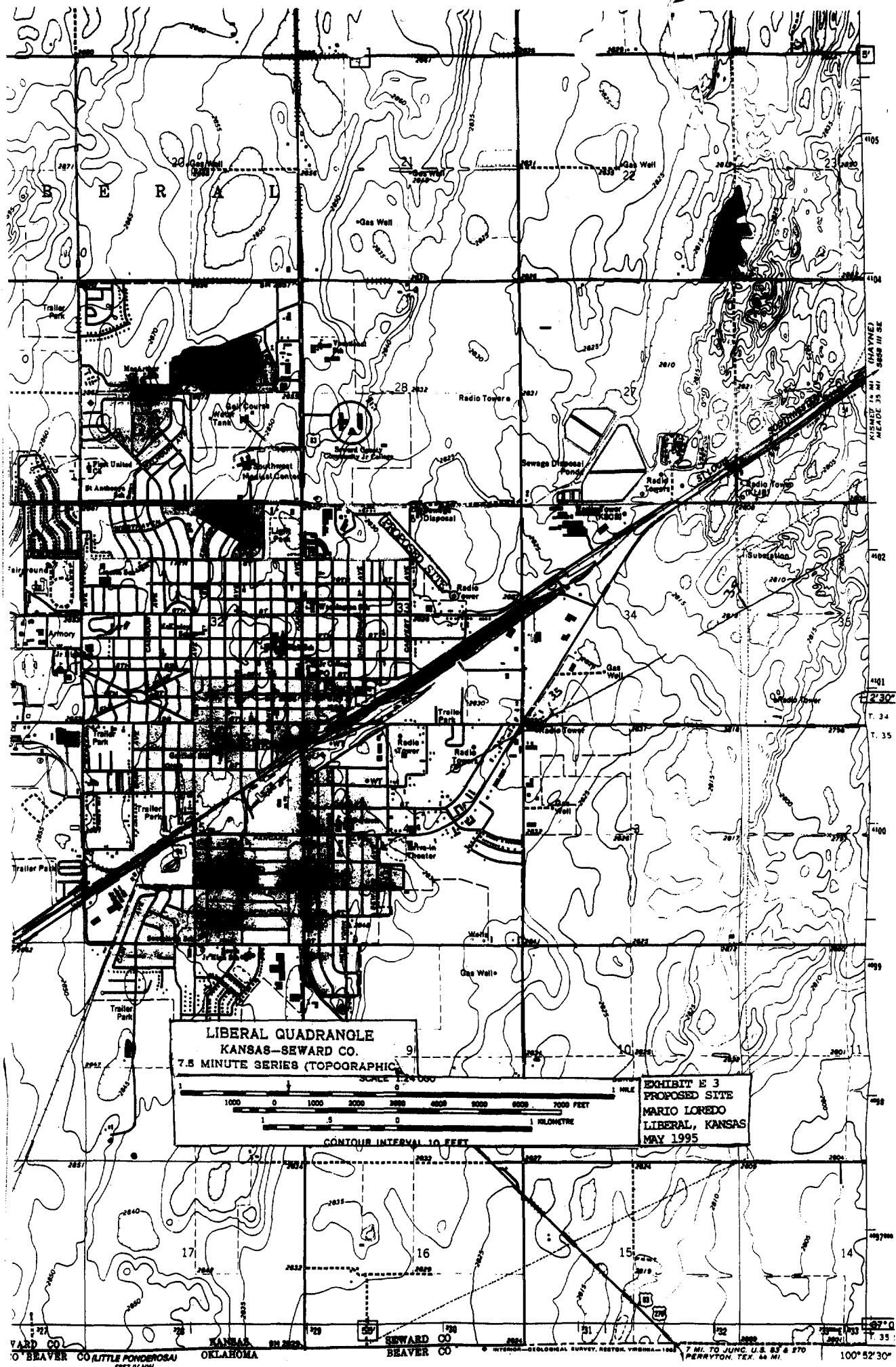
Sincerely,



Glenn L. Bell

EXHIBIT FAA
LIBERAL, KANSAS
MARIO LOREDO
MAY 1995






The proposed antenna location is located in an industrial area East of Liberal, Kansas. The area surrounding the site has limited population. Two communication facilities are located on the same tower. Transmit Frequencies 861.387 and 461.050 and Receive Frequencies 816.387 and 466.050 MHz. AM station KSCB is located 58 degrees true at 1.6 Km and KYUU at 70 degrees true at 2.9 Km. The proposed construction of a side mounted antenna and three inch line should not produce any change in the AM patterns. There are no TV transmitters within 10 kilometers. There is one FM located at 167 degrees true and 2.9 Km. These should coexist and produce no receiver induced intermodulation interference.

The Applicant expects no interference to existing use of the existing communication facilities on the tower or at adjacent locations. There is no known established Commercial or Government receiving Stations within 60 meters or in the Blanket Area. Mario Loreda, Channel 286 C2, will not produce Receiver-induced intermodulation interference to authorized communication receivers or Transmitters. The CATV headend is located 170 degrees true at 1.25 Km. It is beleived that no harmful interference will be produced. If interference is induced as a result of the proposed construction, Mario Loreda will cooperate fully to correct the interference.

The population in the close vicinity is small and the applicant would resolve the problem, if interference or blanketing should occur.


Glenn L. Bell

May 2, 1995

EXHIBIT E 2
INTERFERENCE & BLANKETING
MARIO LOREDO
LIBERAL, KANSAS

M Study for: KZQD
 Location: LIBERAL, KS
 Call City, State
 Status Proponent

FCC Database Date: 2/95
 Channel Class: C2
 Chan Class Freq kW Latitude Dist. Required
 File Number HAAT Longitude Azm. Clear (km)

37-02-53

100-54-34

Required

Clear (km)

 >>>>>> Study For Channel 286 105.1 MHz <<<<<<<

LLOC LIBERAL, KS 286 C1 105.1 37-17-39 27.7 224
 VAC Docket-92-149 0 100-51-38 9.0 -196.3 SHORT
 Use of 73.215 for short spacing requires: 211 -183.3 SHORT
 Site Restricted-Effective 12-10-92-Reserved For KZQD Per D92-149

ZQD LIBERAL, KS 286 C2 105.1 50.0 37-17-39 27.7 190
 CP ALPHA BROADCASTING, I BPH-901116MC 150 100-51-38 9.0 -162.3 SHORT
 Use of 73.215 for short spacing requires: 177 -149.3 SHORT
 To Amend to Channel 286C1 Per D92-149

LLOC NESS CITY, KS 285 A 104.9 38-27-06 179.7 106
 VAC Docket-87-299 0 99-53-36 29.6 +73.7 CLEAR
 First Come/First Served Allotment
 Effective 01-17-89

LSRFM MEMPHIS, TX 287 C1 105.3 100. 34-51-52 243.7 158
 CP HAROLD JAMES DAVIS BPH-940830IA 148 100-36-55 173.7 +85.7 CLEAR

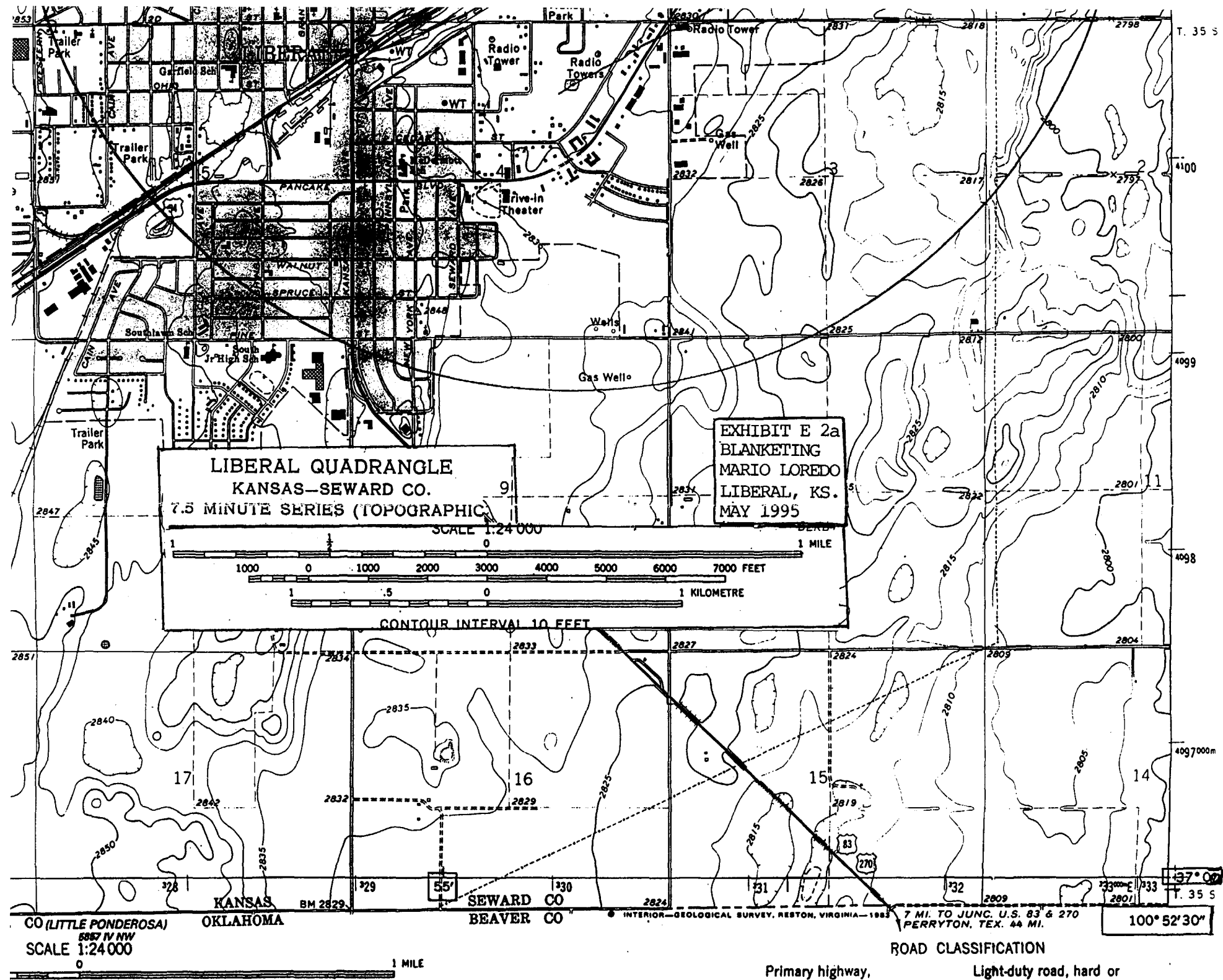
Source Coordinates: 37-02-53 North 100-54-34 West

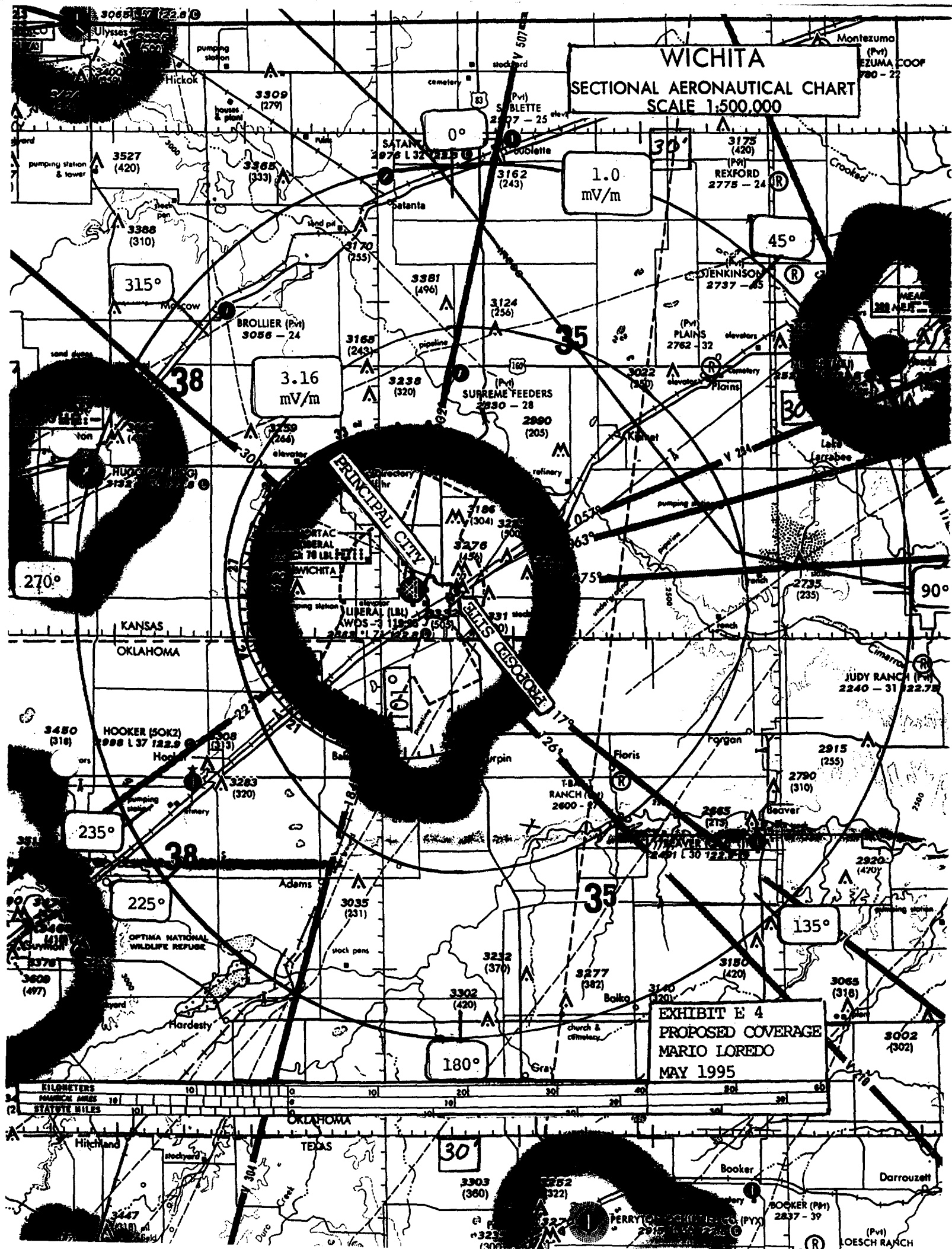
This program uses the 1990 US Census Database: PL 94-171.
Distance to the Contours are interpolated between Azimuths.
Centroid Coordinates within the Contour are counted as total.
CONTOUR OF STUDY is 60 dBu.

AZM:	0	45	90	135	180	225	235	270
DIST:	47.0km	50.3km	50.9km	50.3km	48.8km	45.0km	43.9km	43.0km
OK, Beaver County	Population :		4,475		Households:		2,091	
OK, Texas County	Population :		3,707		Households:		1,650	
KS, Haskell County	Population :		1,206		Households:		517	
KS, Meade County	Population :		1,274		Households:		590	
KS, Seward County	Population :		18,702		Households:		7,551	
KS, Stevens County	Population :		4,603		Households:		1,927	

SUMMARY:	Population :	33,967	Households:	14,326
Area within Contour by Sectoring:	7,077 sq. km			
and Area in Contour from Census:	6,757 sq. km			







The proposed construction would not be a significant environmental impact. It is believed that there will be only minimal effect on the environment as a result of the proposed construction for the following reasons:

- (1) The Transmitter site meets the FCC spacing requirements of the Rules & Regulations.
- (2) The site is not on or near any known historical site, or area designated in the National Registry of Historic Buildings.
- (3) There will be no new major roads or power lines constructed, as this is an existing site.
- (4) A existing tower will be used. There will be no new construction.
- (5) The site is not in the path of a known migratory bird fly way or adjacent to any wildlife refuge.
- (6) There are no local zoning restrictions governing the use of this site.
- (7) There has been no known local controversy concerning the proposed construction on environmental grounds.
- (8) The site is not located in a floodplain.
- (9) The site is not located in a area that is either locally or Nationally a scenic or recreational area or of value. It is not a officially designated wilderness area or in an area where designation is pending.
- (10) Part 73 of the FCC Rules & Regulations was amended, effective January 1, 1986 to implement the National Environmental Policy Act. of 1969 (NEPA). The rule amendment identifies human exposure to RF Radiation as an issue for consideration when evaluating potential environmental effects of radiation facilities authorized by the FCC. The report governing these changes is OST Bulletin No. 65, (October 1985), "Evaluating Compliance with FCC specified Guidelines for human Exposure to Radio Frequency Radiation".

A study based on "Evaluation Compliance with FCC specified guidelines for Human Exposure to Radio-frequency OST Bulletin No. 65, October 1985" was conducted. The results of that study reveal that there would be no harmful effects caused to humans as a result of this stations operations. This analysis was based on a FM Station operating at 50.0 Kw and 116 meters AGL, 118 meters HAAT, Horizontally & Vertically, a total of 100 Kw., at 105.1 MHz.

Procedures will be established to protect workers who must climb the tower. The power will be reduced to levels within compliance when workers are on the Tower. Power will cease when the workers are in the Aperture of the Antenna. The Application meets the requirements of section 1.1311. The Tower will be fenced & marked for Radio Frequency Radiation Presence. The Applicant will take further measures should it be determined that the facilities require additional protection standards than proposed.

EXHIBIT E 5
ENVIRONMENTAL STATEMENT
MARIO LOREDO
LIBERAL, KANSAS
MAY 2, 1995

ARTER & HADDEN

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May 17, 1995

VIA BERRY BEST

Federal Communications Commission
Mass Media Services
P.O. Box 358195
Pittsburgh, PA 15251-5195

Re: Application on FCC Form 301 for Authorization to Make
Minor Changes to the Construction Permit for FM Broadcast
Station KZQD, Liberal, Kansas (File No. BAPH-930824GE)

Dear Sir or Madame:

Transmitted herewith, on behalf of Mario Loreda, the permittee of FM broadcast station KZQD, Liberal, Kansas, are the original and two copies of an application on FCC Form 301 for authorization to make minor changes to KZQD's construction permit.

Also enclosed is a check in the amount of \$650, payable to the Commission, in payment of the filing fee for this application.

In addition, Mr. Loreda reasserts here his request for a temporary determination that he complies with the public interest standard of Section 310(b) of the Communications Act. As Mr. Loreda disclosed in his May 4 construction permit extension request, he inadvertently indicated that he is a United States citizen in the assignee's portion of FCC Form 314, which Mr. Loreda filed in conjunction with Alpha Broadcasting, Inc. on August 24, 1993 (File No. BAPH-930824GE). As previously indicated, Mr. Loreda is a citizen of Mexico and is in the process of applying for United States citizenship.

Because Mr. Loreda does not intend to commence operations prior to the resolution of his citizenship status, Mr. Loreda believes that his status as the permittee of station KZQD is consistent with Section 310(b) of the Communications Act. Section 310(b) provides that "[n]o broadcast license shall be granted to or held by any alien or the representative of any alien." Section 3(aa) of the Communications Act defines a license as "that

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Federal Communications Commission
May 17, 1995
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instrument of authorization required for use or operation of apparatus for transmission of signals by radio." A construction permit, on the other hand, is separately defined in Section (ee) as the "instrument of authorization required for construction of a station."

Because the terms "license" and "construction permit" have distinct definitions in the Communications Act, Section 310(b)'s prohibitions regarding FCC licenses should not be deemed to apply to construction permits. Thus, there is no statutory bar to Mr. Loredo holding a construction permit for station KZQD. Accordingly, Mr. Loredo requests that the Commission determine that as permittee of station KZQD, he is not in violation of Section 310(b) of the Communications Act.

Any questions regarding this matter should be addressed to undersigned counsel.

Sincerely,


Gerald Stevens-Kittner

Enclosure

MARIO OR JUANITA LOREDO, SR. 6/94

4925

LIC. K00331937 #487-72-1380
106 W. SPRUCE PH. 316-624-8229
LIBERAL, KS 67901-4044

83-283/1011

PAY TO THE
ORDER OF

F. C. C.

Six Hundred

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\$ 650.00

DOLLARS

The First National Bank

324 N. Kansas
Liberal, Kansas 67901
(316) 624-1971



MEMO

Mario Laredo

MP

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